

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC. PELVIC
REPAIR SYSTEM PRODUCTS
LIABILITY LITIGATION

MDL No. 2327

THIS DOCUMENT RELATES TO

Civil Action No.: 2:2013-CV-32138

**KATHERINE
RUEB
Name of Plaintiff**

**KATHERINE RUEB'S RESPONSE TO MOTION FOR ORDER REGARDING
DISPOSITION OF NON-REVISION GYNECARE TVT PRODUCTS CASES**

COMES NOW the Plaintiff, KATHERINE RUEB, and files her Response in Opposition to Defendant's Motion for Order Regarding Disposition of Non-Revision Gynecare TVT Product Cases (Doc. 5313) of Law as follows:

1. Defendant filed a Motion for Order Regarding Disposition of Non-Revision Gynecare TVT Product Cases (Doc. 5313).
2. It is undisputed that Plaintiff was implanted with a Gynecare TVT product.
3. Attached as exhibit "A" to Defendant's motion was an order requesting dismissal of Plaintiff's who have not had a "revision surgery".
4. Plaintiff was inadvertently placed on that list.
5. Defendant in the proposed exhibit "A" requests "revision surgery" to include the following elements to qualify:
 - a. Removal in whole or in part of an implanted Ethicon Gynecare TVT Product or removal of scar tissue, repair of fistulas, or other surgeries (including treatment for pay related to or resulting from the implantation of an Ethicon Gynecare TVT product;

- b. Surgeries use general, regional, or MAC anesthesia.
 - c. Surgery must be performed and recommended by a licensed physician
6. On February 15, 2017, Katherine Rueb underwent a sling revision surgery. The surgery is a “revision surgery” as defined by Defendant.
7. Plaintiff provided the surgical report to Defendant. After review of the surgical report, on March 16, 2018, Plaintiff was informed by Defendant via email that Plaintiff Katherine Rueb is being removed from the non-revision list on the next amendment.
8. Plaintiff is filing this response within the court’s deadline out of an abundance of caution in case the next amendment is due after today’s date

Conclusion

Defendant has agreed to remove Plaintiff from the list since she did have a “revision surgery”.

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